



Patent
60018/101:1

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Michael J. Masterson) Group Art Unit:
Serial No.: 10/826,905) Examiner: Not Yet Assigned
Filed: April 15, 2004)
For: APPARATUS AND METHOD FOR)
MONITORING TERMITE ACTIVITY)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and, thus is subject to image file wrapper processing.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

June 25, 2004
Date of Deposit
PortInd2-4472521.1 0060018-00101

Sandi Lekar
Name of Person Mailing Paper

Sandi Lekar
Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

STATEMENT OF EXPLANATION OF DATES

Though no dates appear on Items CB and CC cited herein, it is noted that Items CA, CB and CC on the attached Form PTO-1449 and of which copies are enclosed, were cited and are of record in parent patent 6,370,811 to the present reissue application and thus are cited herein.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

A check in the amount of _____ is enclosed for the above fee(s).

The Commissioner is authorized to charge Deposit Account No. 19-4455 for any additional fees which may be required.

Respectfully submitted,

Dated: June 25, 2004

By: John A. Rafter
John A. Rafter, Jr.
Reg. No. 31,653

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LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
60018/101:1SERIAL NO.
10/826,905APPLICANT:
Michael J. MastersonFILING DATE:
April 15, 2004

GROUP:

JUN 29 2004

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE |
|---------------------|-----------------|---------|------------------|-------|-----------|-------------|
| AA | 3,564,750 | 2/1971 | Burgess | | | |
| AB | 5,329,726 | 7/1994 | Thorne et al. | | | |
| AC | 5,575,105 | 11/1996 | Otomo | | | |
| AD | 5,592,774 | 1/1997 | Galyon | | | |
| AE | 5,695,776 | 12/1997 | Ballard et al. | 424 | 408 | 3/12/1996 |
| AF | 5,899,018 | 5/1999 | Gordon et al. | | | |
| AG | 5,901,496 | 5/1999 | Woodruff | | | |
| AH | 5,937,571 | 8/1999 | Megargle et al. | 43 | 131 | 1/21/1997 |
| AI | 6,016,625 | 1/2000 | Bishoff et al. | 43 | 121 | |
| AJ | 6,065,241 | 5/2000 | Woodruff | 43 | 132.1 | |
| AK | 6,071,529 | 6/2000 | Ballard et al. | 424 | 408 | 8/22/1997 |
| AL | 6,100,805 | 8/2000 | Lake | 340 | 573.1 | 8/12/1999 |
| AM | 6,158,166 | 12/2000 | Snell et al. | 43 | 131 | 9/2/1998 |
| AN | 6,189,393 | 2/2001 | Cates | 73 | 865.8 | 11/16/1999 |
| AO | 6,195,934 | 3/2001 | Megargle et al. | 43 | 131 | 8/11/1999 |
| AP | 6,219,960 | 4/2001 | Contadini et al. | 43 | 121 | 10/28/1999 |
| AQ | 6,235,301 | 5/2001 | Ballard et al. | 424 | 405 | 12/27/1999 |
| AR | 6,255,959 | 7/2001 | Lake et al. | 340 | 693 | 11/3/1999 |
| AS | 6,266,918 | 7/2001 | Henderson et al. | 43 | 131 | 2/24/2000 |
| AT | 6,439,069 | 8/2002 | Cates | 073 | 865.8 | 11/5/1999 |
| AU | 6,532,838 | 3/2003 | Cates | 073 | 865 | 2/18/2000 |
| AV | 6,668,669 | 12/2003 | Cates | 073 | 866.3 | 1/15/2003 |

EXAMINER: /Darren Ark/

DATE CONSIDERED: 05/28/2008

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**
(Use several sheets if necessary)

ATTY. DOCKET NO.
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SERIAL NO.
10/826,905

APPLICANT:
Michael J. Masterson

FILING DATE:
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GROUP:

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION YES | TRANSLATION NO |
|------------------|----|-----------------|------|---------|-------|-----------|-----------------|----------------|
| | BA | | | | | | | |
| | BB | | | | | | | |
| | BC | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| | | |
|------|----|-------------------------------------------------------------------------------------------|
| /DA/ | CA | "Systematic Termite Control™" brochure; FMC Corporation; 7/99; 2 pp. |
| ↓ | CB | "Termatrol Pro" brochure; Sector Diagnostics, LLC; no date; 2 pp. |
| ↓ | CC | "Quarterra Extended Inspection Interval Station" brochure; EnsysTex; no date; 2 pp. |
| ↓ | CD | U.S. Application Ser. No. 10/407,253 which is a reissue application of Pat. No. 6,266,918 |
| | CE | |

EXAMINER: /Darren Ark/

DATE CONSIDERED: 05/28/2008

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant